

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
24-00069-01-CR-W-DGK

OTHIENO O. LUCAS,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGES:

Count One	Possession with Intent to Distribute Fentanyl, <i>in violation of</i> 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
Count Two	Possession of a Firearm in Furtherance of a Drug Trafficking Crime, <i>in violation of</i> 18 U.S.C. § 924(c)(1)(A)(i)
Count Three	Felon in Possession of a Firearm, <i>in violation of</i> 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Trey Alford; a paralegal may assist

Case Agent: Detective Dustin Stewart – Independence, Missouri Police Department

Defense: Matthew Merryman; Nicholas Bates may be present

OUTSTANDING MOTIONS: None

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 10 without stipulations

Defense: No additional witnesses; Defendant may testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: No additional exhibits

DEFENSES:

(x) defense of general denial

() defenses of general denial and _____

POSSIBLE DISPOSITION:

- () Definitely for trial
(x) Motion to continue to be filed
- () Possibly for trial
(x) Possible a plea will be worked out

TRIAL TIME: 2 ½ days

Government's case including jury selection: 2 days

Defense case: ½ day

STIPULATIONS:

- () not likely
() not appropriate
(x) possible as to:
() chain of custody
(x) chemist's reports
(x) knowledge of prior felony conviction
(x) interstate nexus of firearm
() other: _____

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: July 28, 2025

Defense: July 28, 2025

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: July 28, 2025

Jury instructions must comply with Local Rule 51.1

Motions in Limine: July 28, 2025

TRIAL SETTING: Criminal jury trial docket commencing August 11, 2025

Please note: *AUSA Alford has another case on the August docket, USA v. Talbott, 24-00163-CR-W-DGK. Mr. Merryman is counsel in an older case, 21-00200-CR-W-RK, with a special setting in this Court beginning on August 11, 2025.*

OTHER:

- () A _____-speaking interpreter is required.
() Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge